



## PLANNING COMMISSION MEETING STAFF REPORT APRIL 13, 2006

<b>Project:</b>	WARM SPRINGS VILLAGE TRACT MAP- (PLN2006-00151)
<b>Proposal:</b>	To consider Vesting Tentative Tract Map 7693, Private Streets and Preliminary Grading Plan for the development of 342 housing units.
<b>Recommendation:</b>	Approve, based on findings and subject to conditions
<b>Location:</b>	48921-48979 Warm Springs Boulevard, 48923-48999 Kato Road and 48887 Kato Road in the Warm Springs planning area. APNs 519-1010-054-03, 519-1010-058-03, 519-1010-061 (See aerial photo next page)
<b>Area:</b>	18.35-acre lot
<b>People:</b>	KB Home, Applicant Terry Wang, Agent of Applicant HMH Engineers, Consultant Cal-West Industries, Owner Scott Ruhland, Staff Planner (510) 494-4453; sruhland@ci.fremont.ca.us
<b>Environmental Review:</b>	A Mitigated Negative Declaration was prepared and circulated for this project.
<b>General Plan:</b>	Medium Density Residential, 11-15 units/acre, 18-23 units/acre and 23-27 units/acre
<b>Zoning:</b>	Planned District, P-2005-292

### **EXECUTIVE SUMMARY:**

The existing industrial site was re-designated and rezoned to multi-family residential through a City-initiated process as part of the Housing Element Implementation Program. The applicant recently received approval for a Planned District rezoning for the purposes of developing a new 342 unit residential neighborhood comprised of three housing types, common open space and substantial site, landscape, circulation, access, grading and drainage improvements. The current entitlement request is for approval of a Vesting Tentative Tract Map, Private Streets and Preliminary Grading Plan.

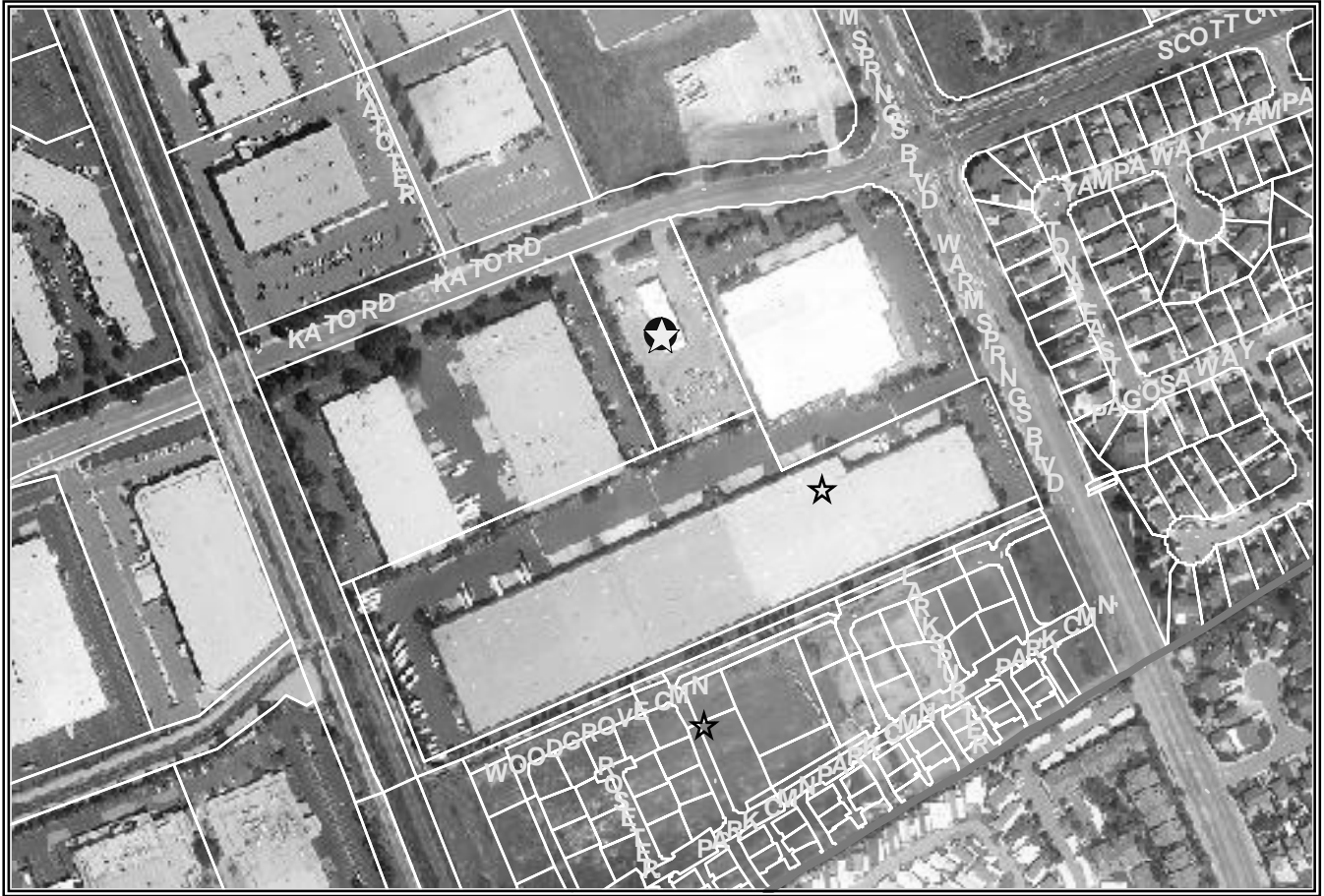


Figure 1: Aerial Photo (2002) of Project Sites and Surrounding Area.



**SURROUNDING LAND USES:**

- North: Light Industrial
- South: Residential
- East: Residential
- West: Railroad Tracks and Light Industrial Beyond

## **BACKGROUND AND PREVIOUS ACTIONS:**

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A City-initiated General Plan Amendment and Rezoning, PLN2004-00272, was approved on July 13, 2004. The purpose of that action was to change the land use of the project site from industrial to residential to facilitate multi-family residential development as contemplated by the Housing Element Implementation Program. A Mitigated Negative Declaration for the General Plan Amendment and Rezoning was also adopted on July 13, 2004.

The Planned District previously approved for this project was reviewed by the Planning Commission on November 17, 2005. The Commission recommended approval of the Planned District to the City Council. The Council reviewed and approved the project on January 10, 2006.

## **PROJECT DESCRIPTION:**

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The proposed project is a request for a Vesting Tentative Tract Map, Private Streets and Preliminary Grading Plan for the subdivision and development of three parcels of land into multiple parcels to accommodate 342 residential units and associated landscape, circulation, access, grading and drainage improvements.

## **PROJECT ANALYSIS:**

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### ***General Plan Conformance:***

The existing General Plan land use designation for the project site is Medium Density Residential, 11-15 units/acre, 18-23 units/acre and 23-27 units/acre. The proposed project is consistent with the existing General Plan land use designation for the project site because the proposed project meets the intent of medium density residential designation by achieving compliance with the midpoint density range.

The following General Plan Goals, Objectives and Policies are applicable to the proposed project:

***Housing Goal 2*** – *High quality and well-designed new housing of all types throughout the City.*

***Land Use Goal 1*** – *New housing development while conserving the character of the City's existing single family residential neighborhoods.*

The project conforms to this policy because it conserves the quality and character of nearby residential neighborhoods.

***Land Use Policy 1.1*** – *Residential as the primary use allowed in residentially designated areas. The type of residential use depends on the permitted density and other criteria to protect neighborhood character and the safety and welfare of residents.*

The project conforms to this policy because residential is the primary use being proposed in this residentially designated area in conformance with the required density.

### ***Zoning Regulations:***

Vesting Tentative Tract Map 7693, Private Streets and Preliminary Grading Plan are in conformance with the approved zoning for the site, P-2005-292.

## ***Design Analysis:***

### ***Circulation:***

Access to the project site is from both Kato Road and Warm Springs Boulevard. The project proposes one driveway on each street. The project shall construct new public sidewalk along the frontage of both Kato Road and Warm Springs Boulevard. On site pedestrian circulation is provided by sidewalks along the main private streets and by sidewalks in the paseos between the buildings.

On site vehicle circulation is provided by Private Vehicle Access Ways (PVAWs), a type of private street used in condominium and townhouse developments. The PVAWs shown on the tentative map are consistent with the previously approved Planned District.

The site is bounded on the north by Kato Road and on the east by Warm Springs Boulevard. Both public streets are classified as four-lane arterials within the General Plan. The existing street improvements have been installed in conjunction with: the development of the subject parcels; with a local improvement district; and through City public works projects. The approved Planned District included conditions of approval pertaining to the required street improvements. The tentative map conforms to the approved Planned District.

### ***Grading & Drainage:***

The project site consists of three parcels with a combined land area of over 18 acres. The parcels have been improved with industrial buildings and associated parking lots. The existing buildings, parking lots, and related utilities will be demolished to accommodate the residential subdivision. Several trees exist on site and some of the trees will be preserved with redevelopment of the site.

Grading for the project includes creating building pads for the detached and attached homes, excavation for the garage under the podium building, and drainage swales throughout the site. The project engineer estimates balanced grading of 30,000 cubic yards of both cut and fill. The developer has also included a stockpile exhibit (sheet C-2), which indicates a proposed 7.5-foot tall stockpile in the southwest corner of the site. The stockpile would consist of spoils from excavation of the underground parking and demolition debris from the existing buildings and site improvements. Soil and debris in the stockpile will either be hauled off site or reused during construction of the project. A stockpile-grading permit shall be subject to review and approval of the City Engineer.

***Drainage:*** The project drains to Line A, an existing concrete lined channel along the southern and western boundary of the site, and Line A-1, an existing 60-inch storm drain pipe that connects to the Line A channel just before the channel crosses under the rail road tracks. The existing channel (Line A) is located on a separate parcel owned by the Alameda County Flood Control and Water Conservation District (ACFC&WCD).

In addition to the channel, ACFC&WCD owns an access easement over the project site, from the existing driveway on Warm Springs Boulevard and along the channel. The access easement is used by ACFC&WCD to inspect, clean, and maintain the existing drainage channel. Modifications to the existing access easement are necessary in order to accommodate the proposed development. Modifications to the easement are subject to the approval of ACFC&WCD, prior to approval of the final map for the subdivision.

The proposed on site storm drain system is a mix of bioswales and underground storm drains. The design team has attempted to maximize the amount of runoff that flows through bioswales, in order to provide the

stormwater pollution treatment that is required by the City's clean water program (see Clean Water Program discussion below). The on-site storm drain system shall be subject to review and approval by both the City Engineer and the Alameda County Flood Control and Water Conservation District prior to final map approval.

**Geologic Hazards:**

The project site is within an area of potential liquefaction on the official Seismic Hazard Zones, Milpitas Quadrangle map, released by the State Geologist on October 19, 2004. In accordance with the Seismic Hazard Mapping Act, the project geotechnical engineer prepared a seismic hazard report. The report was reviewed and approved by the City and filed with the State Geologist. The subdivision improvements and building construction will conform to the recommendations of the seismic hazard report.

**FEMA Flood Zone:**

The westernmost one hundred feet of the project site is located within the floodplain or a special flood hazard zone as defined by the Federal Emergency Management Agency (FEMA). In order to develop within the floodplain, all new structures shall be built with the lowest floor above the base flood elevation. In this case the base flood elevation is 17 feet. All the homes are proposed to be on fill, with the lowest floor elevated above 17 feet by a minimum of one foot. By raising the grade on site, the applicant is removing land area from the floodplain.

**Environmental Review:**

An Initial Study and Mitigated Negative Declaration has been prepared and circulated for the project. The environmental analysis identified concerns regarding potential impacts to noise and vibration, tree preservation and air quality. The Mitigated Negative Declaration and associated Mitigation Monitoring Plan includes mitigation measures, which will reduce the identified impacts to non-significant levels. These measures include acoustical and structural engineering methods to reduce effects of noise and vibration from the nearby railroad; dust suppression and asbestos survey methods to reduce impacts to air quality; and, specific landscape and tree requirements.

A finding is proposed that the Mitigated Negative Declaration for this project, PLN2006-00151, adequately addresses potential impacts and the proposed project would not have a significant effect on the environment based upon the implementation of the identified mitigation measures.

**PUBLIC NOTICE AND COMMENT:**

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Public hearing notification is applicable. A total of 60 notices were mailed to owners and occupants of property within 300 feet of the site. The notices to owners and occupants were mailed on March 24, 2006. A Public Hearing Notice was published by The Argus on March 30, 2006.

**ENCLOSURES:**

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**Exhibits:**      Exhibit "A"    Vesting Tentative Tract Map 7693, Private Street and Preliminary Grading Plan  
                     Exhibit "B"    Findings and Conditions of Approval  
                     Mitigated Negative Declaration and Mitigation Monitoring Plan

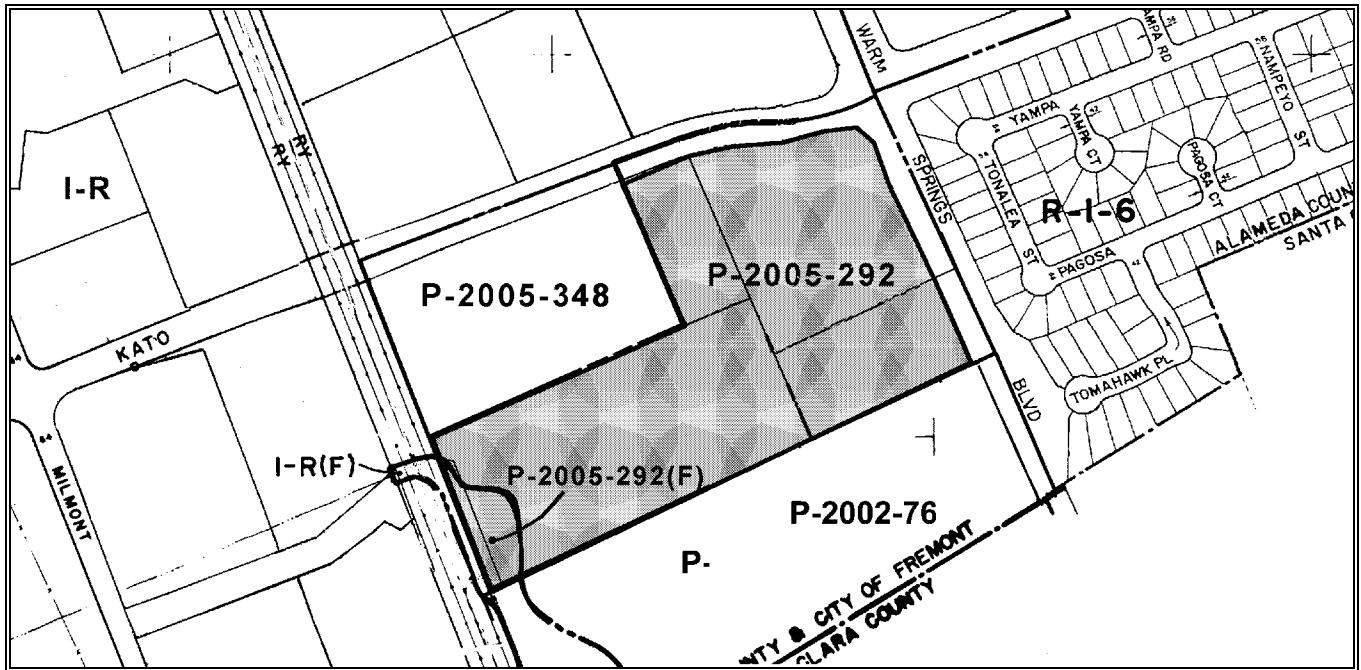
**Informational:**    1.    Initial Study

## **RECOMMENDATION:**

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1. Hold public hearing.
2. Find the initial study and Mitigated Negative Declaration prepared for the project has evaluated the potential impacts that could cause an adverse effect, either individually or cumulatively, on wildlife resources and find that there is no evidence the project would have any potential for adverse effect on wildlife resources.
3. Find that the Mitigated Negative Declaration prepared and circulated for the project adequately addresses potential impacts arising from the proposed project and the identified mitigation measures will reduce potential impacts to less than significant levels and further find that this action reflects the independent judgment of the City of Fremont.
4. Approve the Mitigation Monitoring Plan for the project (PLN2006-00151).
5. Find Vesting Tentative Tract Map 7693, Private Street and Preliminary Grading Plan are in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Housing and Land Use Chapters as enumerated within the staff report.
6. Approve Vesting Tentative Tract Map 7693, Private Street and Preliminary Grading Plan as shown on Exhibit "A", subject to findings and conditions on Exhibit "B".

**Existing Zoning**  
Shaded Area represents the Project Site



**Existing General Plan**



**EXHIBIT "B"**  
**WARM SPRINGS VILLAGE**  
**PLN2006-00151**

**VESTING TENTATIVE TRACT MAP 7693, PRIVATE STREETS &  
PRELIMINARY GRADING PLAN**

**VESTING TENTATIVE TRACT MAP FINDINGS**

The following findings are made based upon the information contained in the staff report to the Planning Commission dated April 13, 2006, as well as information presented at the public hearing, incorporated hereby:

1. The proposed map satisfies the requirements and conditions imposed by the Subdivision Map Act and the City of Fremont Subdivision Ordinance, because the procedural requirements of the Map Act are being followed and the proposed lots conform to the standards as stipulated in the Planned District (P-2005-292) zoning district.
2. The proposed subdivision, together with the provisions of its design and improvement, is consistent with the General Plan and any applicable specific plan, because the proposed development conforms to the requirements of the zoning district as well as the General Plan land use designations for the site.
3. The site is physically suitable for the type and proposed density of the development because it is flat, located on two major arterials with transit and located in an urban area.
4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no habitat exists on site. The site is a developed former industrial site with no wildlife resources.
5. The design of the subdivision and the type of improvements are not likely to cause serious public health problems because the environmental review process of the subdivision has taken those concerns into consideration and has found with proper mitigation all impacts would be less than significant.
6. The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. Acquisition of any new easements will be required prior to the acceptance of the Final Map for this project.

**PRIVATE STREET FINDINGS**

1. The most logical development of the land requires private street access because the physical character of the project is more amenable to the less intense right of way required of a private street.
2. The development of the land is well defined because the design of the subdivision and proposed improvements are in conformance with the City of Fremont's applicable codes and policies.



## **PRELIMINARY GRADING PLAN FINDINGS**

1. The proposed project described in the application will not have a appearance, due to the grading, excavation, or fill, that substantially and/or negatively affects the site.
2. The proposed project described in the application will not result in geologic or topographic instability on or near the site. Based on geologic information available, the site is not in a special studies zone. There are no fault zones or evidence of slides on the site which might be aggravated by the grading of the site.
3. The proposed project described in the application will not endanger public sewers, storm drains, watercourses, streets, street improvements, or other property; will not interfere with existing drainage courses; and will not result in debris being deposited on any public way. The adequacy of the existing sewer, water and drainage facilities proposed for the project has been reviewed by the different utility agencies. The proposed development will not alter or obstruct the natural flow from abutting properties or divert drainage from its natural watershed. The applicant will be required to submit a plan to control erosion and siltation during and after construction for review and approval by the City Engineer.
4. Conformity, where applicable, to special concerns relating to the adopted Seismic Safety Element and concerns shown on maps issued by the U.S. Geological Survey and the California Division of Mines and Geology shall be accomplished at time of final map. Supplemental data and substantiation of conclusions may be required by the City Engineer upon city review of the reports. The proposed development is not in any special studies zone nor is there evidence of presence of any fault or active slides per maps issued by the U.S. Geological Survey and the California Division of Mines and Geology.
5. The proposed project described in the application will not negatively impact the health, safety, and or welfare of adjacent residents or landowners, nor the citizens of Fremont.

## **VESTING TENTATIVE MAP CONDITIONS OF APPROVAL**

1. The project shall conform to Exhibit "A" (Vesting Tentative Map 7693, Private Streets and Preliminary Grading Plan), all conditions of approval set forth herein, and the conditions of approval of Planned District P-2005-292.
2. Approval of this Vesting Tentative Map shall expire according to the provisions of the State Subdivision Map Act and any amendments thereto and applicable provisions of the Fremont Municipal Code consistent with the State Subdivision Map Act.
3. This Vesting Tentative Map may employ multiple phased Final Maps, which shall be prepared in accordance with state and local laws. Prior to the approval of a phased Final Map creating a lot for development of a residential structure, the subdivider shall improve or agree to improve, in accordance with the Subdivision Ordinance, all streets, thoroughfares, public ways, utilities, and easements, in the subdivision and adjacent thereto as required to serve said lot.
4. The final map and subdivision improvement plans shall be submitted to the Engineering Division for review to insure conformance with relevant codes, policies, and other requirements of the Fremont Municipal Code.

5. The developer shall provide grading plans and hydraulic calculations, including drainage maps and inundation maps, demonstrating that the proposed grading complies with the Flood Damage Prevention Ordinance (Chapter 8, Title VIII of the Municipal Code). The plans and calculations shall demonstrate that the proposed grading with the 100-year floodplain does not increase the floodplain on the adjacent properties or increase peak flows within the public storm drain system. Changes to the proposed grades, including installation of storm water retention basins, especially within the 100-year floodplain, may be required prior to issuance of the grading permit.
6. Prior to final map approval, the developer shall apply and receive approval of a conditional letter of map revision based on fill (CLOMR-F) from the Federal Emergency Management Agency. The CLOMR-F shall be based upon the grading plan for the project and the CLOMR-F shall conclude that lots proposed to have structures for human occupancy will be removed from the special flood hazard area.
7. Prior to occupancy of any buildings within the special flood hazard area (Tentative Map Lots 9 through 16), the developer shall apply for and receive approval of a letter of map revision based on fill (LOMR-F) from the Federal Emergency Management Agency. The LOMR-F shall be based upon the as-built grades of the building pads and shall determine that the pads are no longer within the special flood hazard area.
8. A minimum six-foot wide public service easement shall be dedicated along the Kato Road and Warm Springs Boulevard frontage of the subdivision. Project entry and monument signs and walls shall not be located within the public service easement.
9. The streetlight plan and joint trench plan shall be submitted by the applicant with the first subdivision plan check for the street improvement plans and final map. The final streetlight plan and joint trench plan shall be completed prior to final map approval.
10. The developer shall request P.G.& E. to commence with the design of the utility underground work for the proposed development after the Planning Commission approves Vesting Tentative Tract Map 7693.
11. The sound wall next to the railroad right-of-way shall include holes along the base of the wall for the planting of vines to help prevent graffiti on the wall. Vines shall be planted with irrigation on the east side of the wall, but trained to grow through the holes and up the west of the wall. Vines will be established to the satisfaction of the City Landscape Architect.
12. Precise geometry and location of all driveways shall be subject to approval of the City Engineer.
13. Pursuant to Government Code Section 66474.9, the Subdivider, or any agent thereof, or successor thereto, shall defend, indemnify, and hold harmless the City of Fremont, its officials, employees or agents (collectively "City") from any claim, action or proceeding against the City to attack, set aside, void, or annul, the City's approval concerning this subdivision map application, which action is brought within the time period provided for in Section 66499.37. The City will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.
14. All new utility service connections, including electrical and communications, shall be installed underground. Electrical transformers shall be installed in underground vaults within an appropriate utility easement or public service easement.

15. The project storm drain system shall conform to City standards and shall be subject to review and approval of the City Engineer and the Alameda County Flood Control and Water Conservation District.
16. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff. The plans will also include storm water measures for operation and maintenance of the project.
17. The developer is responsible for ensuring that all contractors and subcontractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.
18. The property owner is responsible for litter control and for sweeping of all paved surfaces. Sidewalks, parking lots, and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged to the storm drain.
19. All public and private storm drain inlets are to be stenciled "No Dumping - Drains to Bay" using thermoplastic stencils purchased from the City of Fremont Maintenance Division. Alternative inlet stencils or marking may be permitted, subject to City Engineer approval during final map and subdivision improvement plan checking.
20. All on-site storm drains must be cleaned at least once a year immediately prior to the rainy season. Additional cleaning may be required by the City of Fremont.
21. Interior level parking garage floor drains receiving non-stormwater discharges shall be connected to a landscaped-based stormwater treatment system approved by the City of Fremont.
22. Boiler drain lines shall be directly or indirectly connected to the sanitary sewer system and may not discharge to the storm drain system. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.
23. For air conditioning units, air conditioning condensation should be directed to landscaped areas or alternatively connected to the sanitary sewer system after obtaining permission from Union Sanitary District. Any anti-algal or de-scaling agents must be properly disposed of. Any air conditioning condensate that discharges to land without flowing to a storm drain may be subject to the requirements of the State Water Resources Control Board's (SWRCB) Statewide General Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality.
24. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever practicable.
25. The property owner is responsible for litter control and for sweeping of all paved surfaces. Sidewalks, parking lots, and other paved areas must be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged to the storm drain.

26. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution.
27. The home owners association shall prepare and implement a plan for pavement sweeping and cleaning of all storm drain inlets.
28. This Private Street (PLN2006-00151) is being conditionally approved based on the accuracy of the information shown on Exhibit "A" and submitted with the Private Street application. If any of the information is shown to be inaccurate subsequent to approval of the Private Street by the City, such inaccuracy may be cause for invalidating this approval. Approval of Private Street (PLN2006-00151) shall become effective upon final map approval.
29. The private street names are subject to modification prior to final map approval.
30. A Private Vehicle Access Way (PVAW) and a Public Utility Easement (PUE) are to be established over the entire private street right-of-way. The PUE dedication statement on the final map is to recite that the PUE is available for, but not limited to, the installation, access and maintenance of sanitary and storm sewers, water, electrical and communication facilities.
31. Access considerations for the on-site circulation system require space to be reserved for the movement of fire-fighting and emergency vehicles for the protection of both private property and the public. Dedication of emergency vehicle access easements (EVAE) on the final map over the private street right-of-way will be required. The easement geometry shall be subject to the approval of the City Engineer.
32. Fire hydrants are to be located along the private street as determined by the Fremont Fire Department.
33. Deed restrictions are to be recorded concurrently with the final map to create a mandatory Home Owner's Association or any other mechanism acceptable to the City for those lots with private street frontage which is to covenant and be responsible for the following:
  - a. Maintenance of the Private Street, and facilities in the private street which are not maintained by a public utility agency, except all utility work resulting from backfill failure is to be the responsibility of the Home Owner's Association.
  - b. Payment of the water and Private Street lighting (maintenance and energy) bills.
  - c. Maintenance, repair, replacement and removal of blockages in all building sewers. Maintenance of the building sewers includes repair of any trench failures and/or trench surface material failures.
  - d. Maintenance and "knock-down" repair of fire hydrants and water facilities along the private street is to be done by the utility agency at the expense of the Home Owner's Association. The Home Owner's Association is to be responsible for repainting any fire hydrants along the private street.
34. Each buyer is to sign an acknowledgment that he/she has read the constitution and bylaws of the Home Owner's Association and the conditions, covenants and restrictions applying to the development.

35. Private street grading and drainage shall be done according to public street standards, subject to review and approval by the City Engineer prior to final map approval.
36. Pursuant to FMC Section 8-1522 and 8-3107, the subdivider is to improve prior to final map approval or agree to improve within one year of final map approval, the private streets within the subdivision. No permanent improvement work is to commence until improvement plans and profiles have been approved by the City Engineer. Improvements are to be installed to permanent line and grade in accordance with the City's subdivision improvement standards and to the satisfaction of the City Engineer. Improvements to be constructed include, but are not limited to: Curb and gutter, driveways, street paving, private street monuments, electroliers (wired underground), drainage facilities, signs, and fire hydrants.
37. The private street pavement shall be designed on the basis of a traffic index using predicted traffic generation and a thirty-year pavement design life. In no case shall the traffic index be less than 5.5. Asphalt concrete surfacing to be treated with a seal coat of the type and amount required by the City Engineer. Pavement design sections shall be subject to approval of the City Engineer.
38. Safety lighting is to be provided on the private street. Lights shall utilize "vandal resistant" enclosures and shall have sufficient power and spacing to provide an average maintained foot-candle level of 0.12.
39. A signpost, to which is attached a sign having an area of at least fifteen inches by twenty-one inches, is to be installed at or near the private street entrance. The name of the private street is to be placed on this sign in clearly legible four-inch letters. The sign is to have painted, in at least one-inch letters, "Private Property. Not dedicated for public use."

**SUBDIVIDER PLEASE NOTE:**

The fees, dedications, reservations and/or other exactions imposed on this project are those listed in the foregoing conditions of this tentative tract map approval. The subdivider is hereby notified that the 90-day period in which the subdivider may protest these fees, dedications, reservations and other exactions pursuant to Government Code Section 66020(a) begins on the date of approval of this tentative tract map. If the subdivider fails to file a protest within this 90-day period complying with all the requirements of Government Code Section 66020, the subdivider will be legally barred from later challenging such actions.

**PRELIMINARY GRADING PLAN CONDITIONS OF APPROVAL:**

40. The project shall conform to Exhibit "A" (Preliminary Grading Plan), all conditions of approval set forth herein, and all conditions of approval of Vesting Tentative Map 7693, PLN2006-00151.
41. Approval of this Preliminary Grading Plan does not extend to the final detailed design approval necessary to be accomplished in connection with the development plans.
42. Approval of this Preliminary Grading Plan shall run concurrent with the approval and subsequent extensions of Vesting Tentative Tract Map 7693. Approval of this Preliminary Grading Plan shall terminate upon the expiration of Vesting Tentative Tract Map 7693.
43. A grading permit issued for the project shall be in accordance with the Grading, Erosion, and Sediment Control Ordinance (Chapter 4, Title VIII of the Municipal Code). Grading shall be subject to the approval of the City Engineer.

44. A stockpile-grading permit may be issued for this project. The location and size of the stockpile may vary from what is indicated on Exhibit "A", subject to review and approval of the City Engineer.
45. The applicant shall provide for a functional system to control erosion and siltation during and after grading subject to review and approval by the City Engineer. An erosion and sediment control plan shall be included as part of the grading plans.
46. Site grading shall not obstruct natural flow from abutting properties or divert drainage from its natural watershed.
47. A disposal site for the off-site haul dirt materials or source for the import fill shall be approved by the City prior to the approval of the grading permit. The off-site haul truck route for the excess dirt or import fill shall be subject to the approval of the City Engineer.
48. Prior to issuance of a grading permit for land disturbance greater than one acre, the developer is to provide evidence that a Notice of Intent has been filed and with the State of California Water Resources Control Board. Evidence shall include the WDID number assigned by the State. The developer is responsible for insuring that all contractors are aware of all storm water quality measures contained in the Storm Water Pollution Prevention Plan (SWPPP).
49. The applicant shall submit a detailed soils report, including recommendations regarding pavement structural sections, prepared by a qualified soils engineer registered by the State of California. The soils report shall include specific recommendations for on site pavement areas that will experience repeated exposure to heavy vehicle loads.
50. Grading operations shall be in accordance with recommendations contained in the required soils report and shall be supervised by an engineer registered in the State of California to do such work.
51. Proposed curb elevations for the street system shall not be less than 1.25 feet above the hydraulic grade line (design water surface) and at no point should the curb grade be below the energy grade line. On-site grades are to be a minimum of 0.75 feet above the hydraulic grade line.
52. Tree #122 as indicated on the Preliminary Grading Plan shall be removed due to it's location in front of the Alameda County Flood Control access gate. Since this tree was originally to be preserved, a replacement tree shall be provided subject to review and approval of Staff during Development Organization review.